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(56) Documents Cited

GB 2202754 A GB 2188849 A GB 2120107 A GB 1463239 A US 5092598 A US 4468028 A

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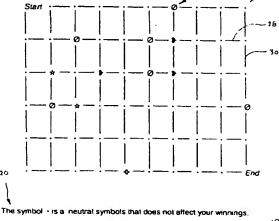
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#### (54) Lottery ticket

(57) An instant lottery game card, preferably a scratch card, carries an array of hidden indicia and is characterised in that the indicia are so chosen that, merely by correct choice of areas to reveal, all tickets are capable of being winning tickets. The card may also include multiple levels of play so that a smaller prize can be forgone with the chance of revealing a further area(s) and winning a larger prize.

A-Mazing Instant Win



If you expose a Ø you lose immediately.

Combination ▶▶ wins \$xxxx

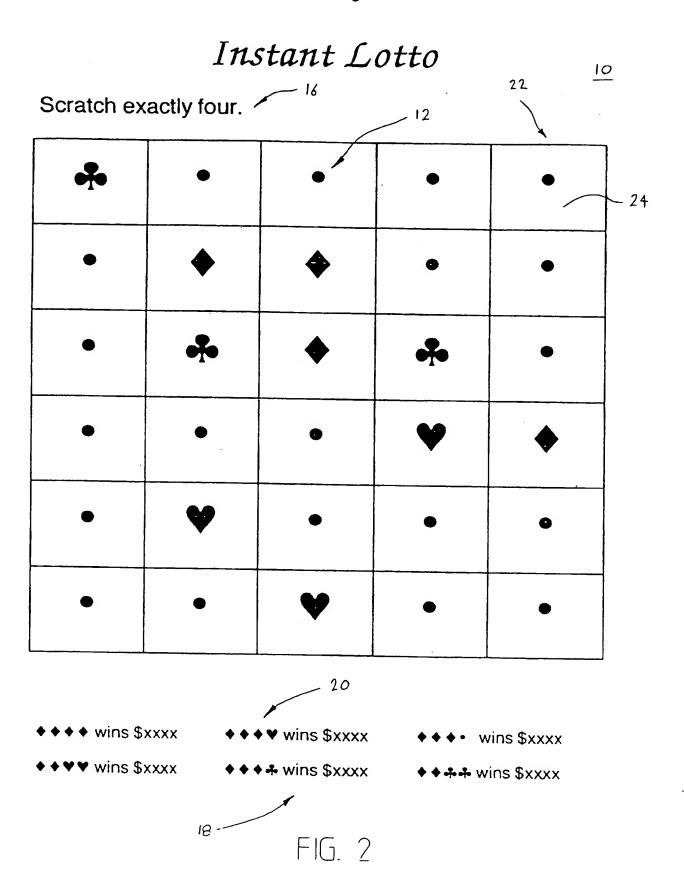
A single & wins \$xxxxx

FIG. 8

### Instant Lotto

xactly four.	T	 <u> </u>	7
			·

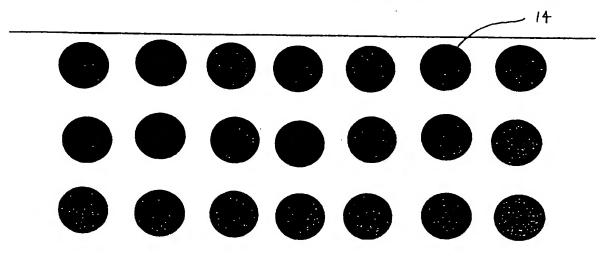
FIG. 1



### Instant Total Win

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Scratch any numbers to try and make the total as close to 100 as you dare. If the sum exceeds 100 you lose. If the sum is exactly 100 you win the jackpot. Other sums win prizes in accordance with the table below.



Total of 100 wins \$xxxx

Total of 99 wins \$xxxx

Total of 98 wins \$xxxx

Total of 97 wins \$xxxx

Total of 96 wins \$xxxx

Total of 95 wins \$xxxx

Total of 94 wins \$xxxx

### Instant Total Win

10

Scratch any numbers to try and make the total as close to 100 as you dare. If the sum exceeds 100 you lose. If the sum is exactly 100 you win the jackpot. Other sums win prizes in accordance with the table below.

						12
6	15	12	2	8	27	46
16	11	13	7	1	8	50
26	14	33	20	71	55	80

Total of 100 wins \$xxxx

Total of 99 wins \$xxxx

Total of 98 wins \$xxxx

Total of 97 wins \$xxxx

Total of 96 wins \$xxxx

Total of 95 wins \$xxxx

Total of 94 wins \$xxxx

. 18

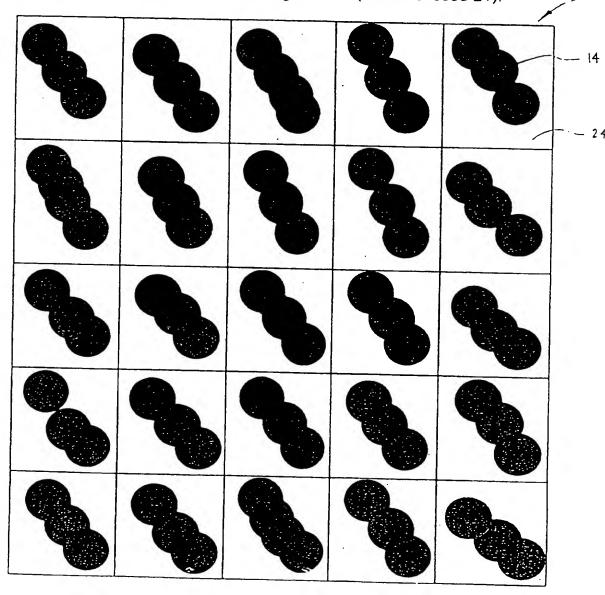
## Instant Blackjack

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Scratch any two. Ace (A) and any 10 or Royal (KQJ) wins Blackjack. Values that sum to: 18 win \$xxx; 19 win \$xxx or 20 win \$xxx. If you have not won a prize, or wish to risk your winnings for the chance of winning a bigger prize (or losing everything), continue scratching one card at a time until either you have won a prize or gone bust (values exceed 21).



## Instant Blackjack

10 18

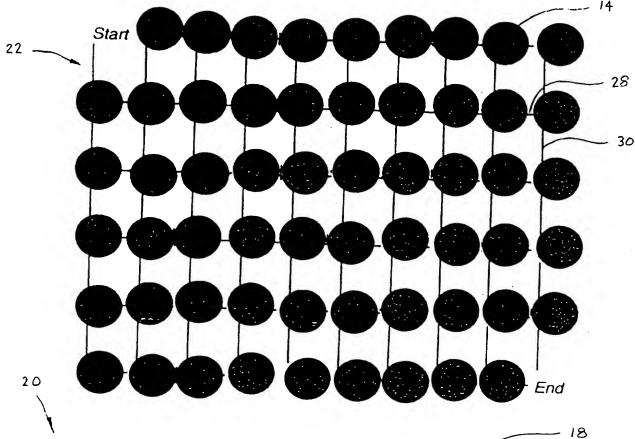
Scratch any two. Ace (A) and any 10 or Royal (KQJ) wins Blackjack. Values that sum to: 18 win \$xxx; 19 win \$xxx or 20 win \$xxx. If you have not won a prize, or wish to risk your winnings for the chance of winning a bigger prize (or losing everything), continue scratching one card at a time until either you have won a prize or gone bust (values exceed 21).

9	10	x	4	4	12
*	. 🛧	•	•	*	
9	10	х	4	4	
я	я	8	10	x	
*	<b>^</b>	<b>*</b>	•	<b>^</b>	
я	Я	8	10	х	
2	7	7	Q	4	
•	•	<b>^</b>	•	•	
2	7	7	Q	4	
6	3	5	2	я	
•	<b>^</b>	•	•	•	
6	3	5	I	я	
8	6	5	10	Q	
•	•	٠ .	•	<b>~</b>	
8	6	. 5	10	· Q	

## A-Mazing Instant Win

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Scratch your way through the maze choosing a path that begins from the point marked *Start*, and ends at the point marked *End*. If you fall in a pit (hit an "instant loss" symbol), the ticket loses. Winning symbols on the path that you chose determine your winnings. Paths might include dead-



The symbol • is a neutral symbols that does not affect your winnings.

If you expose a Ø you lose immediately.

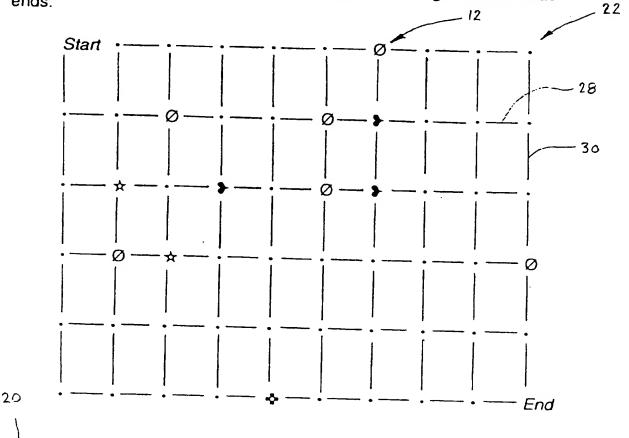
Combination ►► wins \$xxxx

Combination ★★◆◆ wins \$xxxx

A single & wins \$xxxxx

### A-Mazing Instant Win

Scratch your way through the maze choosing a path that begins from the point marked *Start*, and ends at the point marked *End*. If you fall in a pit (hit an "instant loss" symbol), the ticket loses. Winning symbols on the path that you chose determine your winnings. Paths might include deadends.



The symbol • is a neutral symbols that does not affect your winnings.

If you expose a Ø you lose immediately.

Combination ▶▶ wins \$xxxx

Combination ★★◆◆ wins \$xxxx

A single ❖ wins \$xxxxx

#### AN INSTANT LOTTERY-TYPE GAME

#### FIELD OF THE INVENTION

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The present invention relates generally to an instant lottery-type game and relates particularly, though not exclusively, to a SCRATCH AND WIN type instant lottery.

#### BACKGROUND TO THE INVENTION

Lottery games are widely known and have demonstrated enduring popularity. For a small investment, a player can purchase the chance of winning a much larger amount. Lotteries have tended to fall into three categories.

- (1) conventional raffles;
- (2) LOTTO draws; and
- (3) instant lotteries.

In a conventional raffle, players purchase tickets from a 15 pool, and whilst the tickets can be individually identified. thev are in other respects materially identical. In particular, at the time they are purchased, all tickets possess an equal likelihood of being a winning ticket or a losing ticket. The status of each ticket, that is whether the ticket is a winning ticket or a losing 20 ticket, is not determined until the draw by lot of winning tickets after the close of sale of tickets from the ticket pool.

In the case of LOTTO games, players purchase tickets which are distinguished by each ticket having had assigned to it, whether by the choice of the player or by some other means, a combination of numbers from a prespecified number range. Thus, in an Australian LOTTO game, players choose tickets by specifying some combination of six (6) numbers from one (1) to forty five (45), without duplication. As with conventional raffles, the status of each ticket (whether the ticket is a winning ticket or a losing ticket) is not determined until the LOTTO draw. LOTTO organisers draw

winning numbers by lot from the specified range, with such a draw not occurring until after the close of sale of tickets for the particular LOTTO game.

Instant lotteries use SCRATCH AND WIN tickets where the standard method of revealing the symbols printed on the ticket require a player to scratch off an opaque covering which conceals the symbols printed on the ticket's surface. Conventionally at the time of purchase, an instant lottery ticket is either a winning ticket or a losing ticket. A player's role is to reveal the ticket's status without in any way influencing its status. This is different from conventional raffles and LOTTO games in that the status of an instant lottery ticket is embodied in the ticket prior to its sale, and is not determined by draw subsequent to its sale.

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Australian patent application no. 78149/91 describes an instant lottery game where players at a first level of play reveal a group of symbols arranged on a ticket. Based on what is revealed at the first level of play certain players can then at a second level of play choose and reveal a "bonus award" panel which indicates a player's winnings. However, it is possible for a player to purchase a ticket which has no possibility of winning any prize because the symbols required to be revealed by the player at the first level of play indicate a losing combination of symbols.

Australian patent application no. 65699/74 discloses a bingo game in which a player is required to expose at a first level of play a particular and prespecified area of an instant lottery ticket in order to reveal the ticket's predetermined status at the first level of play. The player has no choice in determining the initial status of the ticket as a winning ticket or a losing ticket at the first level of play. At the second level of play the player may then risk any prize they may have won at the

first level of play in order to play a second bingo game with the possibility of winning a greater prize, forfeiting the existing prize, or reducing the existing prize. Should the player decide to proceed with the second level of play by playing the second bingo game, he has no choice in determining the status of the ticket at the second level of play. Rather, once the player has made the choice to proceed the status of the ticket is again predetermined and was ever so from the time the ticket was printed.

#### 10 SUMMARY OF THE INVENTION

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An intention of the present invention is to provide an instant lottery-type game which gives substantially all players a chance of winning a prize depending on a choice they make at at least a first level of play.

According to a first aspect of the present invention there is provided a method of playing an instant lottery-type game comprising the steps of:

a player at a first level of play revealing at least one symbol chosen from a plurality of hidden symbols preselected and arranged on one of a plurality of tickets so that substantially all players can be awarded with a prize depending on each player's choice, but irrespective of any other player's performance;

determining the player's performance by a comparison of said at least one symbol revealed with a predetermined award standard which defines one or more prizes to be won for specific symbol combinations; and

where so determined, awarding the player with at least one of said prizes, based on said at least one symbol revealed at the first level of play.

Typically, said method of playing further comprises a second level of play where the player, based on said at least one symbol revealed at the first level and thus the player's performance, elects to discontinue play or chooses

to reveal another at least one symbol chosen from the remainder of said plurality of hidden symbols, and where so determined, further awarding or penalising the player according to the symbols revealed at the first and/or second levels of play.

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Typically, play may be terminated at the first or second levels of play as determined by a comparison of one or more of said symbols revealed with the predetermined award standard which includes a specific symbol combination directing a player to terminate play.

Advantageously, a player at the first level of play after revealing said at least one symbol can choose whether to continue the game and reveal another symbol based on the player's performance at the first level.

Substantially all players are capable of winning a prize depending on their choice at the first and/or second levels of play in revealing said at least one symbol, and a player's choice to proceed to a subsequent level of play.

According to a second aspect of the present invention there is provided an instant lottery-type game comprising:

a plurality of first hidden symbols preselected and arranged on one of a plurality of tickets so that substantially all players can be awarded with a prize depending on each player's choice, but irrespective of any other player's performance; and

a predetermined award standard which defines one or more prizes to be won for specific symbol combinations, and thus a player's performance can be determined at a first level of play by said player revealing at least one symbol chosen from said plurality of first hidden symbols, and where so determined the player is awarded with at least one of said prizes.

Typically, the instant lottery-type game further comprises a plurality of second hidden symbols preselected and arranged on said one of a plurality of tickets which, based on the player's performance at the first level of play, can at the player's choice at a second level of play be revealed wherein play is terminated, or the player is further awarded or penalised as determined by said plurality of second symbols revealed when compared with the predetermined award standard.

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Typically, said plurality of first and second hidden symbols are preselected and arranged so that, when considered together with the predetermined award standard, an organiser of the instant lottery-type game can vary the theoretical probability of any player being awarded a prize and thus vary the level of financial risk which said organiser wishes to assume.

In one embodiment the predetermined award comprises plurality of symbol combinations, combination corresponding to one of said prizes and thus a determination of a players performance. combination which has a relatively high probability of occurring is awarded with a prize of relatively low value compared to a charge for playing the game.

Typically, the plurality of hidden symbols are preselected and arranged on a ticket wherein each of the symbols is hidden by an opaque covering adhered to the ticket that can be removed to reveal a chosen symbol by scratching off the opaque covering.

Alternatively, the plurality of hidden symbols are preselected and arranged on a playing card appearing on a television or computer screen, or other electrical or mechanical device, wherein each of the symbols is hidden by a blanking device generated on said screen that, when

playing the game, can be selected to reveal one of said hidden symbols. In one embodiment the blanking device can be selected by a player touching the screen on or in the vicinity of the blanking device. In another embodiment the blanking device can be selected by the use of a remote actuator operatively coupled to the screen.

Typically, a prize has a value greater than the charge or cost incurred in playing the instant lottery-type game.

A symbol includes any alphabetical, numerical, or alphanumeric character or any other predetermined device.

A prize is not limited to money or an award of monetary value but may also include points awarded to a player to determine a winner.

#### BRIEF DESCRIPTION OF DRAWINGS

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- In order to achieve a better understanding of the nature of the present invention several preferred examples of an instant lottery-type game will now be described, by way of example only, with reference to the accompanying drawings in which:
- Figures 1 and 2 show a playing card of an "Instant LOTTO" game with symbols hidden and revealed, respectively;

Figures 3 and 4 show a playing card of an "Instant Total Win" game with symbols hidden and revealed, respectively;

Figures 5 and 6 show a playing card of an "Instant Blackjack" game with symbols shown hidden and revealed, respectively; and

Figures 7 and 8 show a playing card of an "A-30 Mazing Instant Win" game with symbols hidden and revealed, respectively.

#### DETAILED DESCRIPTION OF PREFERRED EMBODIMENTS

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Figures 1 to 8 each show a playing card, in this example a ticket 10, having a plurality of hidden symbols 12 shown in Figures 2, 4, 6, and 8) preselected and arranged in a predetermined manner on a surface of the ticket 10. Each of the plurality of hidden symbols 12, in this example, is hidden by a series of opaque coverings depicted by black dots (see figures 1, 3, 5, and 7). of the opaque coverings 14 can be scratched from the upper 10 surface of the ticket 10 to reveal the underlying symbol This type of ticket is commonly referred to as a SCRATCH AND WIN ticket.

In an alternative arrangement not illustrated, a ticket may comprise a lower layer having a plurality of symbols printed thereon, and an upper layer laminated to the lower layer so as to cover each of the symbols. The upper layer can be torn away from the lower layer of the ticket so as to reveal each of the hidden symbols.

Each of the tickets 10 further comprises written 20 instructions 16 on how to play the game, predetermined award standard 18 containing specific symbol combinations 20 and prizes to be allocated for each of these symbol combinations 20.

All examples of the instant lottery-type game described herein are designed so that each ticket 10 and player 25 thereof has the potential to be awarded a prize. Depending on the players choice of symbols 12 revealed the player will or will not receive an award. However, substantially all tickets 10 can be awarded with a prize depending on 30 each player's choice. Generally, the prize has a value greater than the cost of playing the instant lottery-type game, which is usually the cost of purchasing a ticket. most cases, the instant lottery-type game is played purchasing one or more tickets each for a nominal minima.

such as one dollar. One player's performance will not be affected by, and will be totally independent of, any other player's performance.

With reference to figures 1 and 2 an "Instant LOTTO" game according to the present invention will now be described in some detail. The ticket 10 for the "Instant LOTTO" game, in this example, has a grid 22 of thirty squares 24 arranged in six rows and five columns. Each square 24 contains a symbol 12 hidden by an opaque covering 14. At the bottom of the ticket 10 there is a predetermined award standard 18 having six specific symbol combinations 20 each corresponding to a prize, in this example money, capable of being won.

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The "Instant LOTTO" game of this example is played in accordance with the instructions 16, by scratching exactly four of the opaque coverings 14 to reveal a combination of four symbols 12. The symbols 12 revealed are then compared to the specific symbol combinations 20 of the predetermined standard 18 to determine whether or not a prize has been won, and its value. In this example, four symbols 12 are thus revealed at a first level of play.

The symbols 12 are preselected and arranged on the ticket 10, and the predetermined award standard 18 set so that an organiser of the "Instant LOTTO" game can control the award of prizes by determining the theoretical probability of any player being awarded a prize. The organiser thus can vary the level of financial risk which they wish to assume. illustrated in Figure 2, the symbol 12 of a diamond is repeated on four occasions on the ticket The theoretical probability of revealing four diamonds winning a prize as indicated by the predetermined standard 18 can thus be calculated. The percentage probability of a player revealing four diamonds, in this example, approximately 0.004%. Accordingly, an instant

organiser may wish to award a player with a relatively large amount of money compared to a nominal charge for playing the game.

As shown in Figures 3 and 4 a ticket 10 used in an \*Instant Total Win' game according to the present invention has 5 twenty one symbols 12 preselected and arranged in seven columns and three rows, each symbol being covered with an opaque covering 14. The instructions 16 for playing the game are at the top of the ticket 10, and the predetermined award standard 18 explained at the bottom of the ticket 10. 10 In this example, the symbols 12 are numbers. The "Instant Total Win' game is played by revealing one or more numbers 12 at a first or subsequent level of play, respectively, attempting to obtain a total as close to one hundred as possible without exceeding one hundred. 15 If the total exceeds one hundred the game is terminated and the player does not win a prize. According to the predetermined award standard 18 of this game, totals of between ninety four to one hundred are awarded with prizes as listed at the bottom 20 of the ticket 10.

The "Instant Total Win" game thus has multiple levels of play where a player can choose at each level of play, depending on the total they have achieved, whether they wish to proceed to the next level of play and reveal another number. At each level of play the player has a choice as to which opaque covering 14 they will scratch in revealing a number 12. Once again, it is possible for an organiser of the "Instant Total Win" to design the game so that the probability of winning any prize controls the financial risk which the organiser wishes to assume.

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As shown in Figures 5 and 6 an "Instant Blackjack" game in accordance with the present invention uses a ticket 10 having a grid 22 with twenty five squares arranged in five columns and rows. Each square 24 has a symbol 12, in this

example a playing card, printed thereon which is hidden by an opaque covering 14 represented by three adjoining black dots. The instructions 16 and predetermined award standard 18 are explained together at the top of the "Instant Blackjack" ticket 10. The instructions 16 for playing the game are substantially the same as the rules of Blackjack when played with a deck of cards. The predetermined award standard 18 thus allocates prizes for a combination of playing cards 12 revealed that sum to sixteen, seventeen, eighteen, nineteen, twenty, or twenty one corresponding to Blackjack.

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The "Instant Blackjack" game is played by revealing one or more cards 12 at a first or subsequent level of play, respectively. At each level of play a player has a choice which opaque covering 14 they will 15 Furthermore, a player can elect to proceed to a subsequent level of play depending on their performance, and the risk they wish to assume in either winning a prize, winning a greater prize, or forfeiting a prize. When a player exceeds a total of twenty one play is terminated and the 20 player wins no prizes. In this example, the prize increases as the player achieves a total approaching twenty one, with a maximum prize allocated for a total of twenty one.

As shown in Figures 7 and 8 a ticket 10 of an "A-Mazing Instant Win" game has a grid 22 created by six horizontal and ten vertical, mutually intersecting lines, 28, 30, respectively. The words "Start" and "End" are printed at opposing diagonal corners, respectively, of the grid 22. A symbol 12 is printed on the ticket 10 where the horizontal 28 and vertical 30 lines intersect, except where the words "Start" and "End" are printed. Each of the symbols 12 is hidden by an opaque covering 14. The instructions 16 for the "A-Mazing Instant Win" game are printed at the top of the ticket 10 and the predetermined award standard 18 is

printed at the bottom of the ticket 10.

The game is played by a player beginning where "Start" is printed and scratching an adjacent opaque covering 14 by moving along either one of the horizontal or vertical lines 5 28, 30, respectively. The player continues to move through the grid 22 approaching the corner of the grid 22 printed "End" by scratching adjacent opaque coverings 14 chosen by In this example, if the player reveals the the player. symbol 12 "Ø", play is terminated in accordance with the instructions 16 and the predetermined award standard 18. 10 On the other hand, if a player reveals a numeric symbol 12 play is continued. If the player successfully moves from the "Start" to the "End" of the ticket 10 the player is awarded one or more prizes as determined by the numbers 12 15 and the prize for each of those numbers as determined by the predetermined award standard 18. Mazing Instant Win" game is thus played at a first level of play where a player is given a choice as to which symbol 12 they will reveal.

- 20 Now several preferred examples of the present invention have been described in some detail it will be apparent to those skilled in the relevant art that an instant lottery-type game according to the invention has at least the following advantages over the 25 admitted prior art:
  - (i) each playing card and thus each player, has the potential to win a prize, the award of prizes being dictated by the players choice at a first and/or subsequent levels of play;
- of (ii) each player exercises choice at every level of play unless play is terminated as dictated by a symbol(s) revealed when compared to the predetermined award standard; and
- (iii) an organiser of the instant lottery-type game can preselect and arrange symbols together with a

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predetermined award standard for each playing card so as to vary the theoretical probability of any player being awarded a prize, and thus vary the level of financial risk which the organiser wishes to assume.

It will be apparent to persons skilled in the relevant arts that numerous variations and modifications can be made to the instant lottery-type game in addition to those already mentioned above, without departing from the basic inventive concepts of the present invention. For example, a playing card need not be limited to a ticket but also includes a playing card appearing on a television or computer screen, or other electrical or mechanical device. In the case of a television or computer screen each of the symbols may be hidden by a blanking device generated on the screen that, when playing the game, can be selected to reveal one of a plurality of hidden symbols. The blanking device could be selected by a player either touching the screen or by the use of a remote actuator, such as a keyboard. The award of prizes is not limited to money but may also include any award of monetary value, or alternatively the player may be awarded points so as to determine a winner without an award of money or the like. The scope of the present invention is intended to extend to other similar games of an instant lottery-type, where a player is given a choice at a first level of play, and substantially all players have the potential to be awarded with a prize depending on their choice. All such variations and modifications are to be considered within the scope of the present invention the nature of which is to be determined from the foregoing description.

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1. A method of playing an instant lottery-type game comprising the steps of:

a player at a first level of play revealing at least one symbol chosen from a plurality of hidden symbols preselected and arranged on one of a plurality of tickets so that substantially all players can be awarded with a prize depending on each player's choice, but irrespective of any other player's performance;

determining the player's performance by a comparison of said at least one symbol revealed with a predetermined award standard which defines one or more prizes to be won for specific symbol combinations; and

where so determined, awarding the player with at least one of said prizes, based on said at least one symbol revealed at the first level of play.

- A method of playing an instant lottery-type game as defined in claim 1 further comprising a second level of play where the player, based on said at least one symbol revealed at the first level and thus the performance, elects to discontinue play or chooses another at least one symbol chosen from the remainder of said plurality of hidden symbols, and where so determined, further awarding or penalising the according to the symbols revealed at the first second levels of play.
- 3. A method of playing an instant lottery-type game as defined in claim 2 wherein play may be terminated at the first or second levels of play as determined by a comparison of one or more of said symbols revealed with the predetermined award standard which includes a specific symbol combination directing a player to terminate play.

- A method of playing an instant lottery-type game as defined in any one of the preceding claims wherein a player at the first level of play after revealing said at least one symbol can choose whether to continue the game and reveal another symbol based on the player's performance at the first level.
- A method of playing an instant lottery-type game as defined in claim 4 wherein all players are capable of winning a prize depending on their choice at the first and/or second levels of play in revealing said at least one symbol, and a player's choice to proceed to a subsequent level of play.
  - 6. An instant lottery-type game comprising:

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- a plurality of first hidden symbols preselected and arranged on one of a plurality of tickets so that substantially all players can be awarded with a prize depending on each player's choice, but irrespective of any other player's performance; and
- a predetermined award standard which defines one
  or more prizes to be won for specific symbol combinations,
  and thus a player's performance can be determined at a
  first level of play by said player revealing at least one
  symbol chosen from said plurality of first hidden symbols,
  and where so determined the player is awarded with at least
  one of said prizes.
  - An instant lottery-type game as defined in claim 6 comprising a plurality of second hidden symbols preselected and arranged on said one of a plurality of tickets which, based on the player's performance at the first level of play, can at the player's choice at a second level of play be revealed wherein play is terminated, or the player is further awarded or penalised as determined by said plurality of second symbols revealed when compared with the predetermined award standard.

8. An instant lottery-type game as defined in claim 7 wherein said plurality of first and second hidden symbols are preselected and arranged so that, when considered together with the predetermined award standard, an organiser of the instant lottery-type game can vary the theoretical probability of any player being awarded a prize and thus vary the level of financial risk which said organiser wishes to assume.

- 9. An instant lottery-type game as defined in any one of claims 6 to 8 wherein the predetermined award standard comprises a plurality of symbol combinations, each combination corresponding to one of said prizes and thus a determination of a player's performance.
- 10. An instant lottery-type game as defined in any one of claims 6 to 9 wherein the plurality of hidden symbols are preselected and arranged on a ticket wherein each of the symbols is hidden by an opaque covering adhered to the ticket that can be removed to reveal a chosen symbol.
- 20 11. An instant lottery-type game as defined in any one of claims 6 to 9 wherein the plurality of hidden symbols are preselected and arranged on a playing card appearing on a television or computer screen, or other electrical or mechanical device, wherein each of the symbols is hidden by a blanking device generated on said screen that, when playing the game, can be selected to reveal one of said hidden symbols.
- 12. A method of playing an instant lottery-type game or an instant lottery-type game substantially as herein described with reference to and as illustrated in the accompanying drawings.





Application No:

GB 9609597.1

Claims searched: 1 to 12

Examiner:

Alan Blunt

Date of search: 26 July 1996

Patents Act 1977 Search Report under Section 17

#### Databases searched:

UK Patent Office collections, including GB, EP, WO & US patent specifications, in:

UK Cl (Ed.O): A6H (HJL)
Int Cl (Ed.6): A63F 3/06

Other:

#### Documents considered to be relevant:

Category	Identity of docum	nent and relevant passage	Relevant to claims
Χ.	GB2202754A	(PROMOTIONS UNIT) - Figures 2 and 3	1, 6, 8 to
x	GB2188849A	(GLOBEHUNT) - whole document	1, 6, 8 to
x	GB2120107A	(MIDDLETON) - whole document	1 to 11
x	GB1463239	(HUXLEY) - whole document	1, 6, 8 to
x	US5092598	(KAMILLE) - whole document	1 to 11
x	US4468028	(MUSTIN) - whole document	1, 6, 8 to

X Document indicating lack of novelty or inventive step

Y Document indicating lack of inventive step if combined with one or more other documents of same category.

<sup>&</sup>amp; Member of the same patent family

A Document indicating technological background and/or state of the art.

P Document published on or after the declared priority date but before

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